

REMARKS

Claims 14-21 are pending in this application. Claims 14-16 and 20-21 are independent. In light of the remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 14, 15, and 21 under 35 U.S.C. § 102(e) as being anticipated by *Parulski et al.* (USP 5,440, 401); rejected claims 15 and 21 under 35 U.S.C. § 102(e) as being anticipated by *Tatsumi et al.* (USP 5,594,736); rejected claim 21 under 35 U.S.C. § 102(e) as being anticipated by *Naimpally* (USP 5,589,993); rejected claims 15 and 21 under 35 U.S.C. § 102(e) as being anticipated by *Yoo et al.* (USP 5,897,219); rejected claims 15 and 21 under 35 U.S.C. § 102(e) as being anticipated by *Kwon* (USP 5,418,658); rejected claims 16-17 and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over *Yoo et al.* in view of *Tsuboi et al.* (USP 5,371,602); and rejected claims 16-17 and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over *Tatsumi et al.* in view of *Tsuboi et al.* Applicants respectfully traverse these rejections.

Applicants wish to thank the Examiner for indicating claim 18 includes allowable subject matter.

Claim Rejections - 35 U.S.C. § 102 - *Parulski et al.*

In support of the Examiner's rejection of claim 14, the Examiner asserts that *Parulski et al.* teaches all of the elements

of the claim. Specifically, the Examiner asserts that *Parulski* teaches generating a second coded video data (referring to low resolution image data) by re-encoding a first coded video data (referring to high resolution image data) and storing the first and second coded data separate and independent from one another, citing to col. 1, lines 50-67, col. 3, lines 20-50, and col. 4, lines 14-68. Applicants respectfully disagree with the Examiner's assertions.

The disclosure of *Parulski et al.* is directed to an image database incorporating low resolution index image data. Specifically, *Parulski et al.* teaches that for each high resolution image-representative data file, an associated low resolution digitized image is stored within a low resolution index image data file. Specifically, at col. 3, lines 54-65, *Parulski et al.* discloses:

... each captured image is stored as a respective high resolution image data file composed of a low resolution image bit map file and a plurality of residual images associated with respectfully different degrees of image resolution. By iteratively combining successive residual images with the low resolution image, successively higher resolution images may be recovered from the low resolution image for application to a readout device such as a color monitor display or hard copy printer.

Further, at col. 4, lines 28-38 *Parulski et al.* discloses as follows:

This storage mechanism is diagrammatically illustrated in Fig. 2 as an image index data file 31, which is preferably written so as to be the first file accessed by playback device 20 shown in Fig. 1, into which the low resolution digitized images of each of subsequent image files 32-1 ... 32-N are duplicated in the course of the digitizing and recording of a set of color photographic images. Image files 32-1 ... 32-N are high resolution image files, in that they contain all the information that is necessary to produce high resolution images.

As can be seen from the above, the low resolution image data is not stored independent and separate from the high resolution image data. The high resolution image data file includes the low resolution image data. As such, *Parulski et al.* fails to anticipate the present invention.

With regard to the Examiner's rejection of claim 15, the Examiner refers to Fig. 2 of the cited reference which refers to the storage of still image data. However, the present invention set forth in claim 15 recites a method for storing coded video data wherein the coded video data stored is composed by replacing frames of the received coded video data with the corresponding frames of the re-encoded video data generated by the video generating portion at an arbitrary interval. As Fig. 2 refers to still image data, the cited reference fails to teach this claim element. Further, there is no teaching or suggestion in *Parulski et al.* that is directed to replacing the frames at an arbitrary interval.

Finally, with regard to the Examiner's rejection of claim 21, for the reasons noted above with regard to claim 15, *Parulski et al.* fails to teach coded video data generated by replacing at least plural frames of the first coded video data with a second coded video data wherein the second coded video data is generated by re-encoding the plural frames.

For the reasons set forth above, it is respectfully submitted that *Parulski et al.* fails to anticipate the present invention as set forth in claims 14-15 and 21. As such, it is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 102 - *Tatsumi et al.*

The Examiner rejected claims 15 and 21, asserting *Tatsumi et al.* teaches all of the claim elements. The *Tatsumi et al.* disclosure is directed to an image-information storage regenerating device. Specifically, *Tatsumi et al.* discloses a data storing format that is effective for solving problems which may arise when regenerating video data in a video data storage and communication system. A channel data demultiplexing portion splits a multiplexed input into audio/video and other components. An error correction portion corrects an error of the video data output from the channel data demultiplexing portion. A video frame extracting portion extracts a video frame output from the error correction portion. A packet assembling portion assembles a packet from the video data output from the video frame extracting portion and the audio data

output from the data demultiplexing portion. A storage portion stores therein the packet output from the packet assembling portion. Consequently, video data can be stored by video frames.

In Figs. 22 and 23, col. 20, lines 5-20 referred to by the Examiner, *Tatsumi et al.* discloses a structure of the device by which the received coded video data is re-encoded and transferred to (stored in) an external storage. As described therein, when beginning and ending the data storing operation, communication control portion 142 selects whether the received coded video data is re-encoded and then transmitted, or transmitted without re-encoding (col. 20, lines 6-9). Namely, as shown in Fig. 23, an initial screen (frame) is re-encoded at the beginning of the storing operation (Steps 2-5). Once the storing operation has begun, video data is transferred without re-encoding (Step 2 and Step 6). The above operation is also described in col. 20, lines 53-60 of the reference.

However, *Tatsumi et al.* fails to disclose "wherein the coded video data stored is composed by replacing frames of the received coded video data with the corresponding frames of the re-encoded video data generated by the video generating portion at an arbitrary interval" as set forth in claim 15. As *Tatsumi et al.* fails to teach all of the elements of claim 15, it is respectfully requested that the outstanding rejection be withdrawn.

Tatsumi et al. fails to disclose "coded video data generated by replacing at least plural frames of the first coded video data with a second coded video data wherein the second coded video data is generated by re-encoding the plural frames" as recited in claim 21. As such, *Tatsumi et al.* fails to anticipate claim 21.

As *Tatsumi et al.* fails to teach or suggest all of the elements as set forth in the claims, it is respectfully submitted that claims 15 and 21 are not anticipated by *Tatsumi et al.* It is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 102 - *Naimpally*

In support of the Examiner's rejection of claim 21, the Examiner asserts that *Naimpally* teaches replacing at least plural frames of the first coded video data with a second coded video data, citing to col. 5, lines 8-14. Applicants respectfully disagree with the Examiner's characterization of this reference.

In *Naimpally*, Figs. 5 and 6 show the structure of coded data. Fig. 5 shows the output of multiplexer 318 shown in Fig. 3 or 3a (col. 8, lines 25-27). The multiplexer 318 receives both a segment of a high resolution image generated by circuit 322 and a segment of a low resolution image generated by circuit 316 and supplies alternately both image segments to circuit 326 (col. 5, lines 15-57). As described above, Figs. 5 and 6 show that low resolution image segment 512 and high resolution image segment 514 are recorded alternately and consecutively or both segments are

recorded always in pairs. As indicated by the Examiner, the low resolution image (the second coded data) may "correspond to" the high resolution image (the first coded data). However, *Naimpally* discloses only the structure that both image data are recorded in pairs, but does not disclose that one image data is replaced with another.

However, the present invention as set forth in claim 21 recites coded video data generated from a first coded video data **by replacing at least plural frames of the first coded video data with a second coded video data**. As *Naimpally* fails to teach or suggest this claim element, it is respectfully submitted that *Naimpally* fails to anticipate the present invention. As such, it is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 102 - *Yoo et al.*

In Applicants' Reply filed July 26, 2004, Applicants argued that *Yoo et al.* fails to teach replacing frames at an arbitrary interval with regard to claim 15. Applicants further requested the Examiner provide support for his rejection of claim 21. The Examiner responds to this argument regarding claim 15 by asserting that *Yoo et al.* teaches the frames are decoded and then re-encoded. However, the Examiner fails to provide any response to Applicants' arguments that *Yoo et al.* fails to teach replacing frames at an arbitrary interval. Further, the Examiner fails to address

Applicants' arguments regarding claim 21 and further fails to provide any further support for his rejection of claim 21.

Applicants respectfully reassert the arguments included in Applicants' July 26, 2004, Reply and maintain that Yoo et al. fails to anticipate claims 15 and 21. Applicants respectfully request that, should the Examiner maintain his rejection of these claims, the Examiner do so by fully explaining his rejection by establishing *prima facie* anticipation in a new, non-final Official Action.

Claim Rejections - 35 U.S.C. §102 - Kwon

With regard to the Examiner's rejection of claim 15, the Examiner fails to address the "replacing frames ... at an arbitrary interval" and further fails to provide any support in the Kwon reference.

The disclosure of Kwon is directed to a digital video signal recording/reproducing apparatus for longer playing time. While Kwon provides for an intra mode compression signal, there is no teaching or suggestion in Kwon that is directed to replacing frames at an arbitrary interval, as set forth in the claims. As Kwon fails to teach or suggest all of the claim elements, Kwon fails to anticipate the present invention.

With regard to the Examiner's rejection of claim 21, Applicants note that claim 21 recites, *inter alia*, replacing at least plural frames of the first coded video data with a second

coded video data. Although *Kwon* provides for an apparatus capable of recording and reproducing a digital video signal in a compressed form, there is no teaching or suggestion that is directed to replacing at least plural frames of the first coded video data with a second coded video data as set forth in claim 21. As such, it is respectfully submitted that *Kwon* fails to anticipate the present invention. As such, it is respectfully requested that the outstanding rejection be withdrawn.

**Claim Rejections - 35 U.S.C. § 103 -
*Yoo et al./Tsuboi et al.***

With regard to the Examiner's rejection of claims 16 and 20, the Examiner relies on Fig. 1 of *Tsuboi et al.* to teach storing the first coded video data in a directly accessible storage. Fig. 1 discloses an optical disk 14 for storing the video data. However, claim 16 recites selecting from the directly accessible storage to read the first coded video data from the video storage portion as it is, or to direct the video generating portion to generate the second coded video data. Applicants maintain that the teachings of the optical disk 14 of *Tsuboi et al.* are insufficient to cure the deficiencies of the teachings of *Yoo et al.*

In addition to the above, Applicants maintain that one of ordinary skill in the art would not look to the teachings of *Tsuboi et al.* to cure the deficiencies of the teachings of *Yoo et al.* as asserted by the Examiner. *Yoo et al.* is directed to a

recording/playback apparatus for a digital video cassette recorder, while *Tsuboi et al.* is directed to a picture data recording/reproducing system for recording compressed picture data and reproducing recorded data with plural reproduction modes. Applicants maintain that one of ordinary skill in the art seeking to modify the recording and playback apparatus of *Yoo et al.* would not look to the optical disk of *Tsuboi et al.* in order to modify the *Yoo et al.* recorder.

As there is insufficient motivation to combine the references, Applicants maintain that one of ordinary skill in the art would not be motivated to combine the references as asserted by the Examiner. As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 17 and 19 are allowable for the reasons set forth above with regard to claim 16 at least based upon their dependency on claim 16.

**Claim Rejections - 35 U.S.C. § 103 -
*Tatsumi et al./Tsuboi et al.***

The Examiner rejected claims 16-17 and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over *Tatsumi et al.* in view of *Tsuboi et al.* It is respectfully submitted that *Tatsumi et al.* is co-owned by Sharp Kabushiki Kaisha and only qualifies as prior art under 35 U.S.C. § 102(e). As the present application was filed after November 29, 1999, the *Tatsumi et al.* reference does not qualify as

prior art based upon the provisions set forth in 35 U.S.C. § 103(c).

As *Tatsumi et al.* was co-owned at the time the present invention was made and as *Tatsumi et al.* only qualifies as prior art under 35 U.S.C. § 102(e), based upon the provisions set forth in 35 U.S.C. § 103(c), *Tatsumi et al.* is not proper art, and it is respectfully requested that the outstanding rejection be withdrawn.

Conclusion

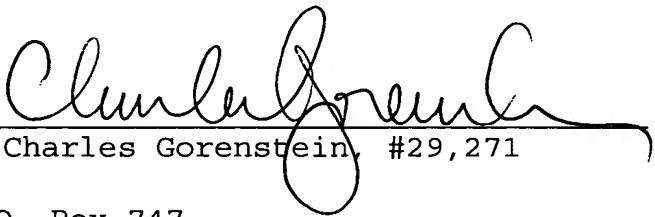
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Applicants respectfully petition for a one (1) month extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). A check in the amount of \$120.00 in payment of the extension of time fee is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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